

SEP - 7 2006

FILED
CLERK'S OFFICE

DOCKET NO. 1612

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE THE THAXTON GROUP INC. SECURITIES LITIGATION

Sam Jones Wood, et al. v. Finova Capital Corp., et al., D. South Carolina, C.A. No. 8:04-2058
(N.D. Georgia, C.A. No. 1:04-11)

Grant Hall, et al. v. Finova Capital Corp., et al., D. South Carolina, C.A. No. 8:04-2058
(W.D. North Carolina, C.A. No. 3:04-3)

Charles Shope, et al. v. Finova Capital Corp., et al., D. South Carolina, C.A. No. 8:04-2058
(S.D. Ohio, C.A. No. 2:04-22)

CONDITIONAL REMAND ORDER

The transferee court in this litigation has: 1) suggested that remand, as provided in 28 U.S.C. § 1407(a), to the respective transferor courts of the claims asserted in these actions against defendant Finova Capital Corp. (Finova), is appropriate; and 2) advised that the claims asserted in these actions against defendants Moore & Van Allen and Cherry Beckaert & Holland remain with the transferee court.

IT IS THEREFORE ORDERED that the claims asserted against defendant Finova in these actions are separated and remanded to their respective transferor courts.

IT IS ALSO ORDERED that pursuant to Rule 7.6 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 436-38 (2001) (Rules), the transmittal of this order to the transferee clerk for filing shall be stayed 15 days from the date of this order. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel. This order does not become effective until it is filed in the office of the Clerk for the United States District Court for the District of South Carolina.

IT IS FURTHER ORDERED that, pursuant to Rule 7.6(g), and coinciding with the effective date of this order, the parties shall furnish the Clerk for the District of South Carolina with a stipulation or designation of the contents of the record to be remanded and all necessary copies of any pleadings or other matter filed so as to enable said Clerk to comply with the order of remand.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

SEP 25 2006

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

CHAIRMAN:
Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:
Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vratil
United States District Court
District of Kansas

Judge David R. Hansen
United States Court of Appeals
Eighth Circuit

Judge Anthony J. Scirica
United States Court of Appeals
Third Circuit

DIRECT REPLY TO:

Jeffery N. Lüthi
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

Telephone: [202] 502-2800
Fax: [202] 502-2888

RECEIVED
CHARLOTTE, N.C. http://www.jpml.uscourts.gov

September 25, 2006
SEP 27 2006
Clark, U. S. Dist. Court
W. Dist. of N. C.

Larry W. Propes, Clerk
P.O. Box 10768
Greenville, SC 29603-0768

Re: MDL-1612 -- In re The Thaxton Group Inc. Securities Litigation

Sam Jones Wood, et al. v. Finova Capital Corp., et al., D. South Carolina, C.A. No. 8:04-2058
(N.D. Georgia, C.A. No. 1:04-11)

Grant Hall, et al. v. Finova Capital Corp., et al., D. South Carolina, C.A. No. 8:04-2058
(W.D. North Carolina, C.A. No. 3:04-3)

Charles Shope, et al. v. Finova Capital Corp., et al., D. South Carolina, C.A. No. 8:04-2058
(S.D. Ohio, C.A. No. 2:04-22)

Dear Mr. Propes:

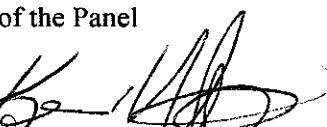
I am enclosing a certified copy and one additional copy of a conditional remand order filed by the Panel in the above-captioned matter on September 7, 2006. The order was entered pursuant to 28 U.S.C. § 1407(a) which provides that "[E]ach action so transferred by the Panel shall be remanded by the Panel at or before the conclusion of such pretrial proceedings to the district from which it was transferred...."

Please note that transmittal of the order was stayed 15 days to give any party an opportunity to oppose the remand. The 15-day period has now elapsed, no opposition has been received, and the order is directed to you for filing.

Pursuant to Rule 7.6(g) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 438 (2001), parties are to furnish you with a stipulation or designation of the contents of the record to be remanded and all necessary copies of any pleading or other matter filed to enable you to comply with the remand order.

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By 
Deputy Clerk

Enclosures

cc: Transferee Judge: Judge G. Ross Anderson, Jr.
Transferor Clerks: James Bonini, Frank G. Johns, Luther D. Thomas